

DERRICK PAGE,)
)
Plaintiff,)
)
vs.) Case No. 4:04CV1353 HEA
)
KAY GREENWELL, et al.,)
)
Defendants)

This matter is before the Court on plaintiff's Second Motion for Appointment of Counsel, [# 28]. As the Court has previously stated in this matter, there is no constitutional or statutory right to the appointment of counsel in a civil case. *See generally, Nelson v. Redfield Lithograph Printing*, 728 F.2d 1003, 1004 (8th Cir. 1984). Plaintiff has advised the Court of his change of address and it appears from this address that plaintiff is no longer incarcerated. With that in mind, plaintiff should attempt to secure counsel on his own. Nowhere within this motion does plaintiff set forth any efforts to secure counsel. Numerous attorneys' practices include representation based on a contingency basis, *i.e.*, they will not charge a party unless there is a verdict in that party's favor. Thus, plaintiff is advised that he should attempt to retain counsel on his own.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's Second Motion for Appointment of Counsel, [# 28], is denied without prejudice.

Dated this 5th day of July, 2005.

A handwritten signature in dark ink, appearing to read "Henry Edward Autrey", with a long horizontal flourish extending to the right.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT COURT